

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHARLES LEE TEXTER,	:	CIVIL ACTION NO. 1:04-CV-0173
	:	
Plaintiff	:	(CONSOLIDATED)
v.	:	
	:	(Judge Conner)
TODD MERLINA, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 15th day of November, 2006, upon consideration of *pro se* plaintiff's sur-reply (Doc. 110) to the motion for summary judgment (Doc. 78), and plaintiff's motion to strike (Doc. 111) the motion for summary judgment (Doc. 78), and it appearing that plaintiff did not seek leave of court to file a sur-reply, see L.R. 7.7, and that plaintiff has already opposed the motion for summary judgment (see Docs. 94, 105), it is hereby ORDERED that:

1. The sur-reply (Doc. 110) to the motion for summary judgment (Doc. 78) is STRICKEN from the docket. See L.R. 7.7.
2. The motion to strike (Doc. 111) the motion for summary judgment (Doc. 78) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge